



General Assembly

January Session, 2003

***Raised Bill No. 908***

LCO No. 3172

Referred to Committee on Public Health

Introduced by:  
(PH)

***AN ACT CONCERNING SMOKING IN WORK PLACES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-40q of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) As used in this section:

4 (1) "Person" means one or more individuals, partnerships,  
5 associations, corporations, limited liability companies, business trusts,  
6 legal representatives or any organized group of persons.

7 (2) "Employer" means a person engaged in business who has  
8 employees, including the state and any political subdivision thereof.

9 (3) "Employee" means any person engaged in service to an employer  
10 in the business of [his] said employer.

11 (4) "Business facility" means a structurally enclosed location or  
12 portion thereof, [at which twenty or more employees perform services  
13 for their employer.]

14 (5) "Smoking" means the burning of a lighted cigar, cigarette, pipe  
15 or any other matter or substance which contains tobacco.

16 (b) Each employer [shall] may establish one or more [work] areas,  
17 sufficient to accommodate [nonsmokers] employees who smoke and  
18 who request to utilize such an area, within each business facility under  
19 [his] such employer's control, where smoking is [prohibited] allowed.  
20 The employer shall clearly designate the existence and boundaries of  
21 each [nonsmoking] smoking area by posting signs which can be  
22 readily seen by employees and visitors. In the areas within the  
23 business facility where smoking is permitted, existing physical barriers  
24 and ventilation systems shall be used to the extent practicable to  
25 minimize the effect of smoking in adjacent nonsmoking areas. Nothing  
26 in this section may be construed to prohibit an employer from  
27 designating an entire business facility as a nonsmoking area.

28 (c) The Labor Commissioner may exempt any employer from the  
29 provisions of this section if [he] said commissioner finds that (1) the  
30 employer made a good faith effort to comply with the provisions of  
31 this section, and (2) any further requirement to so comply would  
32 constitute an unreasonable financial burden on the employer.

This act shall take effect as follows:	
Section 1	October 1, 2003

**Statement of Purpose:**

To encourage work places to be nonsmoking.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*